

# **CHARTER REVISION COMMISSION**

## **MINUTES**

### **SPECIAL MEETING FOLLOWING PUBLIC HEARING**

**DECEMBER 15, 2008**

#### **I CALL TO ORDER**

Commissioner Bafundo called the Special Meeting to order at 8:30 PM in the Helen Nelson Room of the Newington Town Hall.

#### **II PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was waived because it had been conducted immediately prior to the Special Meeting at the Public Hearing.

#### **III ROLL CALL**

##### Commissioners Present

Nancy Bafundo—Chair

Tony Boni

Peter Boorman

Robert Briggaman

Alan Nafis

##### Also Present

Tanya Lane—Town Clerk

#### **IV PUBLIC PARTICIPATION**

Myra Cohen, 42 Jeffrey Lane, approached the podium and stated that the report to the Council should reflect how the Commission conducted their work. The report should list the meeting dates, the Commission members and the Mayor as a non-voting participant. It should include the dates of the Public Hearings, special guests whose comments were invited. She continued by stating that the report should indicate that the Commission examined the entire Charter, section by section, that the public had an opportunity to comment at the beginning and at the end of every meeting. The report should define how the members addressed the comments of invited guests and the public, and it should include a list the Council's specific charges and how the Commission addressed the charges--with a brief explanation of the major changes being proposed by the Commission. The report should indicate that after the Public Hearings of December 15, 2008, the Commission determined that no further changes were needed. The Commission's votes should be included when the report is forwarded to the Council. She stated that the proposed Charter with all the deletions and corrections was part of the report—not a full report.

Mrs. Cohen continued by saying that she disagreed with changes in Sections 407, 408, 410, 411, 611, 709, 805, 808 and the new section 821. She indicated that a few of these changes are minor issues, but most are not. Section 410 currently states that an ordinance shall be null and void if a majority of the electors voting turn it down. She encouraged the Commission to leave these sections alone.

Mrs. Cohen advised the Commission to require a specific percentage of voters to vote on a referendum. She continued by saying that the Council must establish a proposed mil rate for the proposed budget. The process does not allow the transfer of any capital project funds at any time.

Tax anticipation notes do not require a public hearing. She questioned whether the total amount of proposed expenditures is the amount raised by current taxes or something else?

Mrs. Cohen commented that there was no presentation by the Commission at the Public Hearings. People responded to a 3% tax cap, but she wondered if they had any idea what the Commission had done to the rest of the Charter. She asked whether residents had any idea how the section on the Budget Referendum is supposed to work. She asked if they understood that when you talk about ½% more for the Board of Education—this refers to the percent of increase of the Board's new operating budget over the previous year's budget--compared to the percent of increase in the new Town operating budget over the previous year's operating budget. This constraint is very restrictive and not based on the needs of the Town or the schools.

Mrs. Cohen stated that because no one likes to pay taxes, 3% sounds very nice. She indicated that the new section of the Charter is not well written, and it's unrealistic. She concluded by saying that this new section will create more problems than it is trying to control.

She asked the Commission to consider one referendum initiated by a petition. The 3% cap is based on the average CPI meaning sometimes it is more and sometimes it is less. It is not always 3%.

Mrs. Cohen explained that when the Council attempts to achieve a 3% mil rate, the mil rate cap mandated by the final budget, every time the Town's budget is adjusted, the Board of Education budget must be adjusted. So instead of allowing the Council to make adjustments in the best interest of the Town, the Council is playing with a percentage nightmare.

Mrs. Cohen ended her comments by saying that any changes that she suggested that did not agree with the Commission's position did not have any affect on what the Commission did. Therefore, she did not feel that the Commission cared about comments she was making tonight. She agreed that the members might not have agreed with the points she was making, she wondered if they did not understand what she was saying. She said she was not alone because the Commission paid no attention to invited guests whose opinions should have been valued.

Tom Shields, 9 Greenlawn Avenue, commented that he had served on the Board of Education during a time when there was a 0% increase in the budget, and the school suffered. He expressed concern about the 3% cap and the effect it would have on the educational system. He does not support a budget referendum or the 3% limit.

Michael J. Fox, 1901 Main Street, mentioned the expense of a referendum. He stated that regardless of how many people spoke for or against the budget referendum or any of the changes made to the Charter, he felt that the draft charter available tonight is what would go to the Town Council. He asked the Commission to discuss changes that the speakers suggested. He thanked the Commission for all their work.

Don Woods, 82 Ivy Lane, stated he is not in favor of allowing the elected officials to serve on boards and commissions. In his opinion, once a person is elected to the Council or Board of

Education, he/she should be fully dedicated to that position. He indicated that it was acceptable to act as a liaison, but even then, conflicts of interest could arise.

Sandy Lallier, 27 Elton Drive, thanked Myra Cohen for the information she shared. She asked the Commission to consider Mrs. Cohen's comments and to inform the Town Council that the Commission cannot present a final document until the members had spent more time thoroughly going over the Charter. She was hopeful that there was a way for the Commission to keep the mandatory budget referendum out of the Charter. She thanked the Commission for their hard work, and stated that she was hopeful that it wouldn't be necessary for the Town to go through a charter revision process again soon.

Rose Lyons, 46 Elton Drive, stated that the cookies were presented as the fulfillment of a promise made by the voters that if the Commission was still in existence at Christmas—she and Sandy would bring cookies. She stated that the gesture was not intended as a bribe and encouraged the Commission to enjoy them. She stated that she still did not feel qualified to scrutinize a budget. She did not agree that elected officials should be able to serve on other boards and commissions.

## **V MINUTES**

### **A. 10-27-08 Special Meeting**

Commissioner Boni moved to accept the minutes from the 10/27/08 Special Meeting. Motion was seconded by Commissioner Briggaman. Chairman Bafundo inquired whether there were any amendments, and hearing none she asked for a vote. Motion passed 5-0.

### **B. 12/1/08 Special Meeting**

Approval of minutes was tabled pending the filing of the final version of the minutes from this meeting.

## **VI MATTERS TO BE CONSIDERED**

### **A. Discussion to consider amending Draft Report discussed at the 12/15/08 Public Hearing pursuant to Connecticut General Statutes § 7-191 (a).**

The following resolution was submitted by Commissioner Boni:

WHEREAS, this commission's draft report is the proposed charter that was put before public hearing on December 15, 2008; and,

WHEREAS, this Commission has complied with all conditions precedent found in chapter 99 of the Connecticut General Statutes to submitting its draft report to the Town Clerk for transmission to the Newington Town Council; now therefore be it

RESOLVED, that said draft report is hereby submitted to the Town Clerk who shall receive such document and forthwith transmit said draft report to the Newington Town Council pursuant to Connecticut General Statutes § 7-191 (b).

Commissioner Briggaman seconded the motion. Chairman Bafundo asked for discussion.

Commissioner Nafis questioned whether the motion was out of order. Chairman Bafundo replied in the negative.

Commissioner Nafis stated that Item A was to discuss the draft report and Item B was to discuss sending the report to the Council.

Commissioner Boorman agreed with Commissioner Nafis concerning the point of order and asked the mover to withdraw the resolution until the proper time. Discussion ensued regarding the motion and the point of order. Chairman Bafundo stated that Commissioner Boni had moved to accept the resolution without amendment.

Chairman Bafundo continued by saying that the discussion is to consider amending the resolution and Commissioner Boni is making a motion not to amend. Commissioner Boorman disagreed with the Chairman's observation stating that Commissioner Boni was making a motion to submit the draft report to the Town Clerk. Commissioner Nafis agreed that the motion was to send the draft to the Town Clerk. Chairman Bafundo stated that there was an opportunity to discuss the motion and again inquired whether there were any amendments to this motion.

Discussion continued regarding the point order. Chairman Bafundo asked Commissioner Boorman if he had amendments to the draft and if he objected to this motion?

Commissioner Boorman replied in the affirmative. Chairman Bafundo recognized the objection and asked for discussion of those amendments that Commissioner Boorman wanted to make.

Commissioner Boorman pointed out that under Roberts Rules of Order the meeting cannot discuss any amendments that the Commissioners would like to make because there is a motion pending, and it's been seconded. Chairman Bafundo asked for input from Attorney Clark stating that the assembly introduced the business, Commissioner Boni had made a motion and now there was a question regarding process.

Commissioner Boorman requested that Attorney Clark read the motion and offer his legal opinion whether it fell under Section A or Section B. Attorney Clark stated that it could go under either Section A or B.

Commissioner Nafis stated that since there was a motion on the floor he wanted to amend the document. He asked Attorney Clark if he could make a motion to amend the document within the motion that is already on the floor. Attorney Clark stated that Commissioner Nafis could act on the motion that's pending. He further stated that Commissioner Nafis could introduce potential amendments that he may have during the discussion for this amendment. There will then be a vote on this amendment, and if the amendment is voted down, the group can make another amendment to initiate changes.

Commissioner Nafis clarified by questioning whether he could make a motion within the pending motion. Attorney Clark replied that Commissioner Nafis could move to amend any amendment to a motion that is pending.

Commissioner Boorman stated that the only person who can amend the motion is the person who moved the motion.

Chairman Bafundo relayed to the members that Commissioner Boni offered to table the motion and defer it to Section B. Chairman Bafundo then stated that other discussion would continue under Item A.

Commissioner Nafis said that the Public Hearing had allowed a number of people to address the Commission. He pointed out that there is an item on the agenda that requires the Commission to dialogue about discussions the public has had with the Commission. He felt that the Chairman had bypassed that particular agenda item and went to a motion to send the draft to the Council through the Town Clerk's office. He acknowledged Commissioner Boni's willingness to withdraw the motion. He expressed concern for the public's input saying that the public had a right to expect the Commission to discuss their comments before the draft was sent to Council.

Commissioner Boorman made a motion that Section 821 entitled Mandatory Referendum on the Budget be removed in its entirety from the draft. Motion was seconded by Commissioner Nafis.

Discussion followed. Commissioner Boorman indicated that through the two public hearings he had calculated a 2:1 margin against the mandatory referendum. He applauded those who spoke for and against the issue because he thought they all did a good job. Commissioner Boorman stated that he was making his motion based on the comments from those members of the public who indicated they were against the mandatory referendum.

Commissioner Nafis stated that he was pleased with everyone's participation saying that both sides presented good arguments. He spoke about past practices concerning the budget indicating his belief that the Councilors do not raise taxes if there is not a need. He referred to Former Mayor Reynolds' comments indicating that the Town has a great Charter. Commissioner Nafis was concerned that within 10-15 years, the residents would not be so happy with what this Commission had done to the Charter. Not one expert came before the Commission indicating that the Town should cap taxes—they all preached caution. He does not feel that the tax rate is disproportionate to the services received. In his opinion more people expressed concern about the budget referendum than those who expressed support of the referendum. He expressed the desire to discuss why there is a need for a budget referendum and whether one is needed, and what comprised a good referendum.

Commissioner Briggaman thanked everyone who spoke at the Public Hearings. He said that the Commission had been through the Charter at least two times—section by section—covering all the arguments whether it was for or against the matter. The Public Hearings did not present any new information that had not already been given to the Commission. In his opinion it did not appear beneficial to continue with the process.

Chairman Bafundo talked about notification and communication to the residents regarding the proposed budget referendum. Newspaper notification is established by Connecticut Statutes—the actual modality of the newspaper may be questionable in the future; currently the Town is required to comply with Statutes. Regarding the section about mailings—the proposed language states at least ten days—we are optimistic that it will be more than ten days notice. Tens days was stated as a minimum amount of time—not a maximum time length.

The Chairman cited speakers who came before the Commission representing CCM or CROG indicating that these folks will never be proponents of a budget or tax referendum. Their business is government and their business is funded through tax revenue. It is important to contemplate input from elected officials and other municipalities. She indicated that no one was being ignored, saying that it was important to understand where everyone was coming from in their official roles. Chairman Bafundo recounted the amount of work and discussion that has gone into this project—and that she was not in support of removing the motion to exclude Section 821 from the draft report.

Chairman Bafundo reiterated that the motion on the floor was to remove Section 821 from the draft charter.

#### Roll Call Vote

Commissioner Bafundo—No

Commissioner Boni—No

Commissioner Boorman—Yes

Commissioner Briggaman—No

Commissioner Nafis—Yes

Motion failed 3-2 as indicated.

Commissioner Nafis made a motion regarding Section C-417. He was unsure of the old language, but indicated that he would like to return to the original language with the exception of removing the reference to employment regarding Town Council and Board of Education members. Motion seconded by Commissioner Boorman.

Chairman Bafundo clarified that this now refers to the new Section C-415.

Commissioner Nafis cited that many people had spoken about this section. He stated that those who had written the Charter 15-18 years ago had gotten the language right—it was not right that mayors and Councilors should be able to appoint themselves to other boards and commissions as voting members.

Commissioner Boorman observed that to approve this change is to grant more centralized power to those who are in power. He stated that he thought this was a mistake. Commissioner Boorman felt that citizen input should be encouraged—small groups of people should not be allowed to monopolize local government.

Chairman Bafundo addressed the language in the new Section 415 indicating that it identifies that neither the Mayor nor any member of the Council or Board of Education shall hold any elective office, appointive office, or serve on any Board or Commission pursuant to Article VI as a voting member thereof, unless specifically authorized to hold such office or serve under this Charter or unless specifically authorized to do so by resolution of the Council for a Board or Commission created pursuant to Article VI, § 610.

Chairman Bafundo stated that the language gives the appointive power to the Council—it continues to allow the Council to make those appointments when the Council feels that specific expertise is needed on a particular board or commission. Commissioner Bafundo stated that she agreed with the wording of § 415.

Commissioner Nafis expressed his concern with the fact that Council had to pass a resolution allowing the Council to appoint a Councilor to a board or commission. He stated that the current Charter language is the right way to address this issue.

Commissioner Briggaman confirmed that by adding § 415, the Charter Revision Commission was making the practice legitimate.

Chairman Bafundo asked for other discussion, and hearing none stated that the motion was to revert back to the original language except for the employment issue.

#### Roll Call Vote

Commissioner Bafundo—No

Commissioner Boni—No

Commissioner Boorman—Yes

Commissioner Briggaman—No

Commissioner Nafis—Yes

Motion failed 3-2 as indicated.

Commissioner Boorman stated that under § 410 of the Charter regarding the right of referendum on ordinances and § 411 that encompasses initiative, he moved to return that language within those sections specifying 10% of the qualified electors of the Town must participate in the process. He clarified his motion by stating that the 10% requirement should be returned to both sections of the Charter.

Motion was seconded by Commissioner Nafis. Discussion followed.

Commissioner Boorman said that he thought the comments made by the public were excellent. He continued by saying that he did not believe that a very small group of voters should be allowed to dictate to a majority of voters regarding issues such as a referendum or an ordinance initiative. He stated that he felt this was a mistake--10% is not a large number, but there should be some baseline for voter participation.

Commissioner Nafis said that he agreed with the current Charter. Asking for 10% participation from qualified electors to make a decision on something that affects everyone is not asking too much.

Commissioner Briggaman stated that there is not a minimum requirement for a municipal election. To enforce a 10% minimum for a referendum should also require a minimum turnout for a municipal election.

Chairman Bafundo called for a roll call.

Roll Call Vote

Commissioner Bafundo—No

Commissioner Boni—No

Commissioner Boorman—Yes

Commissioner Briggaman—No

Commissioner Nafis—Yes

Motion failed 3-2 as indicated.

Chairman Bafundo inquired whether there were any other amendments. Hearing none, she indicated the Commission would discuss Item B.

Commissioner Boni read the following resolution into the record:

WHEREAS, this commission's draft report is the proposed charter that was put before public hearing on December 15, 2008; and,  
WHEREAS, this Commission has complied with all conditions precedent found in chapter 99 of the Connecticut General Statutes to submitting its draft report to the Town Clerk for transmission to the Newington Town Council; now therefore be it  
RESOLVED, that said draft report is hereby submitted to the Town Clerk who shall receive such document and forthwith transmit said draft report to the Newington Town Council pursuant to Connecticut General Statutes § 7-191 (b).

Commissioner Briggaman seconded the motion.

Commissioner Boorman expressed concern that the Commission convened a meeting and voted to send a draft report to Council, and yet there is not a draft report before the members when they vote on this. He commented on the scheduling of the two Public Hearings that were held on December 15<sup>th</sup> as well as the fact the Council agenda reflected an entry to accept the draft report that was coming from the Charter Revision Commission following this meeting. He commented that the matter had transitioned from partisan to personal. His opinion was that the Commission had accomplished everything they could—to conduct more meetings would not enhance the process.

Commissioner Boorman stated that based on these facts, he is now supporting the motion to send the draft report to the Town Council.

Commissioner Nafis expressed his surprise upon receiving the Council's agenda in the mail on Saturday to act on an item that had not yet taken place. He read into the record from a memo submitted to the Town Council from the Town Manager stating: "Attached please find the

preliminary minutes of the Charter Revision Commission meeting of December 1, 2008 in which a motion was approved to request that the Council hold a Public Hearing on the proposed Charter Revision Commission report in January 2009". Commissioner Nafis stated that he did not remember ever seeing this motion.

Commissioner Nafis further stated that he agreed with Commissioner Boorman that it was time to send the report to the Town Council.

Chairman Bafundo referred to the Town Council Resolution passed on 12/11//07 citing the charge to the Charter Revision Commission. She said that the Commission was charged to seek changes to the methods prescribed in the Charter for the approval of the Town and Board of Education budgets including consideration of a mandatory referendum under certain circumstances—which the Commission did.

She further stated that the Resolution also directed the Commission to examine dollar limitations imposed by the Charter and the method used to adjust those limits including indexation to a generally accepted price index—which the Commission did.

She continued by saying that the Resolution had charged the Commission with a way of making the delivery of Town Services more effective and cost efficient including the possibility of eliminating or consolidating Town agencies, boards and commissions. She referred to the many speakers who had addressed the Commission stating that as a result of their input, the Commission had agreed to make some minor changes.

Chairman Bafundo further stated that the Resolution asked the Commission to conduct required Public Hearings and to extend invitations to current and former Town Council members, members of other boards and commissions and Town Managers to appear before the Charter Revision Commission—which we did.

The Chairman continued to say that the Commission was also directed to consider changes to Section 303 regarding the appointment of a Director of Health, Section 605 regarding the appointment of the Superintendent of Parks and Recreation, Section 609 regarding the appointment of a Town Treasurer; Section 611 regarding the appointment of the Town Planner and Section 708 regarding the residency requirement for the Revenue Collector. Chairman Bafundo stated that the Commission had accomplished these tasks as well, concluding that the Commission had met the charges tasked to them by the Town Council.

Chairman Bafundo commented that throughout the process, members had stated various personal beliefs and conducted discussions regarding other aspects of the Charter—aside from the budget referendum. She felt that the Commission had agreed upon most of these topics.

She concluded that since the Commission had gone through the Charter line by line at least two times (many times they looked at sections three or four times)—she concurred that the Commission had arrived at a point to move on to a Public Hearing. She recognized that the acceptance of the draft charter was on the Council agenda, but stated that if any changes needed to be incorporated into the document as a result of public comments—or if the process needed to be stopped—the Commission members could have accomplished that.

She thought that the Commission had arrived at a point where the draft should be sent along to the Council and she was supporting the draft being forwarded to Council as it stands.

Commissioner Boorman replied that he was in agreement with remarks made by Myra Cohen indicating that the Commission was not sending off a report—the Commission was simply submitting changes that had been made. He did not feel that the draft charter constituted a true report. He stated that he would stand corrected, and he was not going to support Item B.

Commissioner Briggaman offered that once Town Council received the draft report they would discuss it and Council would conduct Public Hearings. Any member of the public would have an opportunity to address the Town Council, and the Council would consider any changes, and the report would be sent back to the Charter Revision Commission with Council's recommendations. Commissioner Briggaman stated that the action of the Commission tonight did not indicate that the draft was a closed document—he reiterated that there were still opportunities for changes.

Chairman Bafundo inquired of the Town Clerk whether a copy of that evening's minutes would accompany the draft report being sent to the Town Council. Chairman Bafundo indicated that it was possible to compile a list of individuals who had attended the meetings.

The Town Clerk asked if the Chairman intended for a copy of this meeting's minutes to accompany the draft report when it was handed over to the Town Council tomorrow night. Chairman Bafundo replied that she did not feel that Council needed the minutes for their 12/16/08 meeting as long as they did receive a copy when completed.

The Town Clerk inquired whether there was a cover memo accompanying the draft report to indicate that the other documents would follow at a later time. Chairman Bafundo agreed that this was the manner in which to present the draft report to Council.

Chairman Bafundo asked for other comments and hearing none asked for a roll call to send the draft charter to the Town Council.

#### Roll Call Vote

Commissioner Bafundo—Yes

Commissioner Boni—Yes

Commissioner Boorman—No

Commissioner Briggaman—Yes

Commissioner Nafis—Yes

Motion passed 4-1 as indicated.

### **VII ANY OTHER BUSINESS PERTINENT TO THIS COMMISSION**

Commissioner Briggaman commented that he had an article from the Hartford Courant he would like to submit for the record entitled, "How to Fix Budget, Protect Taxpayers". He highlighted sections of the article by saying that Connecticut's law makers are embroiled in the task of eliminating \$3 billion a year in spending in order to balance the books. He indicated that the article tried to pin the blame on a poorly performing economy. What they will not do is blame themselves although the facts clearly show that previous overspending set up this current budgetary train wreck. The problem began in the first full year of the personal income tax. Commissioner Briggaman stated that the income tax is a dream-come-true for a big spending politician. The Commissioner stated that growth in government should not exceed the taxpayer's ability to pay. Connecticut's law makers must recognize that this current budget problem began many years ago and is a direct result of past overspending.

Commissioner Nafis responded to the article by saying that since that article was written the State has instituted a spending cap, and continued by saying that the State uses gimmicks to get past the spending cap.

### **VIII WRITTEN COMMENTS FROM THE PUBLIC**

Chairman Bafundo commented that there were a few but they had been included in the Public Hearing.

### **IX PUBLIC PARTICIPATION**

Sandra Lallier, 27 Elton Drive, stated that she was disappointed. She had been sitting in the audience for three hours and felt that with everything that was said or written—she would have preferred the appearance that these comments were being considered by the Commission. She said that instead the public was told that the Commission had heard all of the comments before. She gathered that the next step is to go to the Town Council and was appealing to the Mayor and other Councilors to reject the draft as it is and to send it back to this Commission. She was disappointed with the speed in which the process moved forward and was dismayed to realize that the Commission is ready to hand in the draft.

Myra Cohen, 42 Jeffrey Lane, was hoping for an official draft report that could be looked at years from now with a cover memo indicating the members and the dates the Commission met, listing the conclusions that the Commission had rendered.

Mrs. Cohen thanked Jaime Trevethan and NCTV. She indicated that the Commission had missed an opportunity to update Newington's Charter. Some changes were made, but even if you separate Charter Revision into two questions, there are many things she cannot support. She expressed displeasure with the Commission for the manner in which they had handled the budget referendum issue. She stated that the 3% cap is very poorly written and asked that the Commission not move forward with this proposal. She concluded by acknowledging the time and effort expended by the members.

Carol Anest, 30 Harding Avenue, questioned why the Commission had not invited the mayors and town managers from those towns which already hold budget referendums to get input on what those folks endure in order to put through a budget.

Steve Woods, 94 New Britain Avenue, approached the podium. He indicated that he was somewhat dismayed by the procedure followed during the Special Meeting. The Commission skipped over Item A and when it was brought to their attention, an argument ensued. He said the members were reluctant to discuss the purpose of tonight's meeting—to consider input from those who came out to speak. He pointed out that the motion was still on the table even though Mr. Boni removed it, but the Commissioner who seconded the motion never did. Mr. Woods was uncertain what that meant.

Mr. Woods said that the Commission is sending a draft report, and wondered if the Commission's message to the Council was that the Commission had not completed their work? He pointed out that the members had not approved the minutes from the 12/1/08 Special Meeting. Mr. Woods' interpretation is that the Commission hasn't actually received a draft report and reviewed it. He expressed hope that Council would present questions to the voters allowing some of the Commission's changes to move forward.

Michael J. Fox, 1901 Main Street, thanked the Commission members for their hard work and service to the Town expressing the hope that his comments would not be interpreted on a personal level.

Kristine Nasinnyk, 50 Theodore Street, introduced herself as a Town Councilor indicating that Councilors would not be receiving the draft report the next day because they had received it over the weekend in their packets. She told the Commission that they had done a lot of good work and she hoped that some pieces could be salvaged. She encouraged residents to participate in the Town Council meeting and then thanked everyone for their time and effort.

Don Woods, 82 Ivy Lane, commented on his surprise that Council already had the results of a Public Hearing before it had occurred. He questioned how this process could represent fair, open and democratic participation.

Tom Shields, 9 Greenlawn Avenue, was disappointed that the Commission had already passed the draft on to the Council before the public had an opportunity to make suggestions for changes to the document.

Judy Igielski, 23 Old Musket Drive, stated her belief that neither a mayor nor any elected official should serve on any board or commission. A Building Committee does not have the same power as a true board or commission established within the Charter. Building Committees do not make final decisions. They deliver their recommendations either to the Board of Education or directly to the Town Council. She was disappointed that the Commission had not discussed the opportunity to vote by absentee ballot on Charter changes and was concerned about the turn around time allowing for absentee ballots if the budget should go to referendum twice.

Ms. Igielski commented on the idea of three questions on the ballot for a budget referendum—Yes; No, too high; and No, too low. She did not think that these three choices would skew a vote. She expressed concern to the Commission about the completion of the draft and questioned how the members could vote on an incomplete document. She commented on her hope that Council would split the Charter Revision considerations making the referendum option separate because some good changes had taken place in other sections of the Charter.

She concluded by saying that her concerns remain regarding absentee ballots, the fact that there aren't three questions on a potential referendum. She advocated the need for parameters and a percentage of voters needed to sign a petition for a referendum.

Rose Lyons, 46 Elton Drive, expressed concern at the reluctance of the Commission to discuss comments obtained as a result of public participation, and concluded her comments by saying that she was not happy with the results of the Commission.

Chairman Bafundo again invited members of the public to approach the podium. When no one came forward, she proceeded to Item X.

## **X COMMENTS BY COMMISSIONERS**

Commissioner Briggaman addressed the taxpayers asking who was watching out for them. He asked whether the past Town Council had their best interest in mind. Do you feel that all wasteful spending has been eliminated in all branches of Town government? Do you feel that your pay raises or Social Security has kept pace with the past spending increases within the Town of Newington? Do you feel that you have a clear say in the way the Town spends your tax dollars? He said that if you answer “no” to any of these questions, then we have the document for you.

Commissioner Briggaman said that through the work of the Charter Revision Commission, the members have affected important changes to the way business will be conducted in Town. He reflected on the number of times that the public had stated that Newington resides in a representative democracy—representatives should make decisions in the best interests of the people. He stated that where citizens have a direct say in their government, the taxes trend lower. He asked residents to exercise their right to vote on the Charter revision which includes the budget referendum provision.

Commissioner Nafis thanked Jaime Trevethan, Tanya Lane, Justin Clark and NCTV. He said he was disappointed in the process—he felt that the Commission was kept in the dark and then presented with unforeseen motions. He expressed concern that compromise was never discussed and that a Public Hearing was announced without advance warning. He expressed concern that Council would be looking at the draft report without the benefit of seeing the minutes from the Public Hearings. He stated that he felt the Commission had taken a good Charter and changed it into something that residents would not be happy with in the future.

Commissioner Boorman also thanked Jaime Trevethan, Tanya Lane and Mike Rosenkrantz. He again stated that his placement on the Commission was never contingent upon his support of a referendum. He expressed concern about the message being sent to those people who want to participate in local government. He encouraged participants by saying that the process was not over yet—ultimately the voters will have a say in the outcome. He expressed his hope for a resounding rejection.

Chairman Bafundo thanked Tanya Lane and Marion Amodeo for their assistance. She stated that the Commission had made many good changes to the Charter. She stated that chairing this Commission was probably the most challenging assignment she had undertaken because of everyone's passion regarding the budget referendum. She stated that she did not approach her service on the Commission with any preconceived notion of supporting a tax referendum.

She continued her comments by saying there is not a right or wrong position on this issue—it is a matter of personal belief. She expressed regret that people tend to get very personal and passionate about their beliefs. She again stated that if anything within the draft charter needed to be changed as a result of public participation, it would have been changed before Council received the final draft. She stated that Council had asked the Commission to submit a revised Charter. She indicated that Council would receive a copy of the comparison of changes and a clean copy incorporating all the proposed changes to the Charter.

She indicated to all participants that their voices were heard—clarifying her statement by indicating that they may not have liked the action that resulted, but their comments were heard. She thanked each member for the time and effort that they had expended.

Commissioner Bafundo asked for other comments. Hearing none she asked for a motion to adjourn.

## **XI      ADJOURNMENT**

Commissioner Boni made a motion to adjourn at 10:20 PM, seconded by Commissioner Briggaman. Motion passed 5-0.

Respectfully submitted,

Tanya Lane  
Staff Liaison